

REISSUE APPLICATION DECLARATION BY THE INVENTORS



As below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name

I believe I am an original, first and joint inventor of the subject matter which is described and claimed in patent number 5,726,450, granted March 10, 1998, and for which a reissue patent is sought on the invention entitled, "Unmanned Integrated Optical Remote Emissions Sensor (RES) for Motor Vehicles," the specification of which was filed on \_\_\_\_\_ as reissue application number \_\_\_\_/\_\_\_\_ and was amended on \_\_\_\_\_.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by the amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than they had the right to claim in the patent.

At least one error upon which reissue is based is the unnecessary limitation of "unmanned" which was included in claims 1-12 and 14-21.

Every error corrected in this reissue application, including all errors corrected in the amendment referred to above, arose without any deceptive intention on the part of the applicants.

We hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith the following attorneys, their registration numbers being listed after their names:

Thomas J. Scott, Jr., Registration No. 27,836; Stanislaus Aksman, Registration No. 28,562; James G. Gatto, Registration No. 32,694; Christopher C. Campbell, Registration No. 37,291; Henry C. Su, Registration No. 37,738; Brian M. Buroker, Registration No. 39,125; Charles F. Hollis, Registration No. 40,650; Jonathan D. Link, Registration No. 41,548; Kevin J. Dunleavy, Registration No. 32,024; Kevin T. Duncan, Registration No. 41,495; George Georgellis, Registration No. 43,632; Christopher J. Cuneo, Registration No. 42,450; Raphael A. Valencia, Registration No. 43,216; Scott D. Balderston, Registration No. 35,436; Stephen T. Schreiner, Registration No. 43,097; Steven P. Klocinski, Registration No. 39,251; Yisun Song, Registration No. 44,487; Jennifer A. Albert, Registration No. 32,012; Kerry Owens, Registration No. 37,412; Devin S. Morgan, Registration No. P-45,562; and Milan Vinnola, Registration No. P-45,979.

All correspondence and telephone communication should be addressed to Kevin J. Dunleavy, Hunton & Williams, 1900 K Street N.W., Washington, D.C. 20006-1109, telephone number (202) 955-1500, which is also the address and telephone number of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the declaration is directed.

Signature \_\_\_\_\_ Date \_\_\_\_\_

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Signature \_\_\_\_\_ Date \_\_\_\_\_

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Signature \_\_\_\_\_ Date \_\_\_\_\_

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Date \_\_\_\_\_

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PATENT

Attorney Docket No. 47382.000016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 5,726,450 )  
Issue Date: March 10, 1998 )  
Application No.: 08/739,487 )  
Filing Date: October 26, 1996 )

37 C.F.R. § 3.73(b) STATEMENT AND POWER OF ATTORNEY

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

I, the undersigned representative of Envirotech Systems Corp., the present owner of the patent identified above, as certified below in accordance with 37 C.F.R. § 3.73(b), hereby revoke all prior Powers of Attorney given for the patent and its associated application and appoint: Thomas J. Scott, Jr., Registration No. 27,836; Stanislaus Aksman, Registration No. 28,562; James G. Gatto, Registration No. 32,694; Christopher C. Campbell, Registration No. 37,291; Henry C. Su, Registration No. 37,738; Brian M. Buroker, Registration No. 39,125; Charles F. Hollis, Registration No. 40,650; Jonathan D. Link, Registration No. 41,548; Kevin J. Dunleavy, Registration No. 32,024; Kevin T. Duncan, Registration No. 41,495; George Georgellis, Registration No. 43,632; Christopher J. Cuneo, Registration No. 42,450; Raphael A. Valencia, Registration No. 43,216; Scott D. Balderston, Registration No. 35,436; Stephen T. Schreiner, Registration No. 43,097; Steven P. Klocinski, Registration No. 39,251; Yisun Song, Registration No. 44,487; Jennifer A. Albert, Registration No. 32,012; Kerry Owens, Registration No. 37,412; Devin S. Morgan, Registration No. P-45,562; and Milan Vinnola, Registration No. P-45,979 as their attorneys and agents with full power of substitution and revocation, to take any action with regard to this patent, and requests that all correspondence regarding this patent be sent to:

Kevin J. Dunleavy, Esq.  
HUNTON & WILLIAMS  
1900 K Street, N.W., Suite 1200  
Washington, D.C. 20006-1109  
Telephone: (202) 955-1500  
Facsimile: (202) 778-2201

CERTIFICATE UNDER 37 C.F.R. § 3.73(B)

ENVIROTEST SYSTEMS CORP. certifies that it is assignee of the entire right, title and interest in the patent identified above by virtue of a chain of title from the inventor(s) of the patent identified above, to the current assignee as shown below:

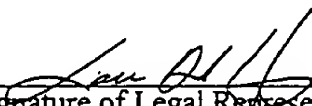
1. From: Peterson et al.  
To: HE Holdings, Inc. DBA Hughes Electronics  
The document was recorded in the Patent and Trademark Office  
at Reel 008292, Frame 0755
2. From: HE Holdings, Inc. DBA Hughes Electronics  
To: Hughes Aircraft Company  
The document for which a copy thereof is attached.
3. From: Hughes Aircraft Company  
To: Envirotech Systems Corp.  
The document was recorded in the Patent and Trademark Office  
at Reel 008730, Frame 0514

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code.

Date

2/29/00

  
Signature of Legal Representative of  
Envirotech Systems Corp.

Name: LAURENCE DAVID HURWITZ  
Title: VP & GENERAL COUNSEL